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Attorneys for Defendant, ALEXANDER SMIRNOV

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

\* \* \* \* \*

UNITED STATES OF AMERICA,	)	CASE NO. 2:24-CR-00091-ODW
	)	
Plaintiff,	)	<b>DECLARATION OF RICHARD A.</b>
	)	<b>SCHONFELD IN SUPPORT OF</b>
Defendant,	)	<b>DEFENDANT'S NOTICE OF</b>
	)	<b>MOTION AND MOTION <i>IN</i></b>
	)	<b><i>LIMINE</i> TO PRECLUDE</b>
v.	)	<b>EVIDENCE FROM</b>
	)	<b>DEFENDANT'S FBI INTERVIEW</b>
ALEXANDER SMIRNOV,	)	<b>ON SEPTEMBER 27, 2023</b>
	)	<b>[ECF 149 FOURTH MOTION IN</b>
	)	<b>LIMINE FILED BY DEFENDANT]<sup>1</sup></b>

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<sup>1</sup> A Declaration was not submitted with the Motion; however, the deadline for Motions in Limine is November 1, 2024, and therefore this Declaration is timely filed.

**DECLARATION OF RICHARD A SCHONFELD**

I, Richard A Schonfeld, declare as follows:

1. I am an attorney of record for Defendant Alexander Smirnov in the above-captioned case. I have personal knowledge of the matters contained in this declaration, and, if called as a witness to testify, I would competently testify to them. This declaration is offered in support of the Defendant's fourth filed Motion in Limine to Preclude Evidence from Defendant's FBI Interview on September 27, 2023 (DKT 149).

2. On October 22, 2024, counsel for Mr. Smirnov sent counsel for the government an email seeking the government's position on this motion. The government subsequently responded that it opposes the Motion.

3. The Defendant will suffer prejudice if this Motion in Limine is denied, as the interview at issue occurred over three years after the alleged false statements of June 2020 that are the subject matter of the Indictment. The statements should be excluded under Federal Rules of Evidence 404(b) and 403, and Defendant will

1 suffer unfair prejudice absent said exclusion.

2 Executed this 1st day of November, 2024, in Las Vegas, Nevada.

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4 Respectfully Submitted:

5 CHESNOFF & SCHONFELD

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8 RICHARD A. SCHONFELD  
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